

DECLARATORY RESOLUTION

NO. 734-1941

For the vacation of Vogley Street from the S. property line of New Haven Avenue to the north property line of the first alley north of Schele Avenue; also for the vacation of the first alley S. of New Haven Ave. from the W. prop. line of Vogley St. to the E. prop. line of the alley between Vogley Street and Bitler Street; also for the vacation of the alley between Vogley St. and Bitler Street from the S. prop. line of the first alley S. of New Haven Avenue to the N. prop. line of the first alley N. of Schele Avenue.

APPROVED-ADOPTED: 11/13/41

NOT. PROP. OWNERS: Nov. 15th-22nd, 1941

HEARING: Thurs. Dec. 4, 1941, 7:30 P.M.

CONFIRMED: Dec. 4, 1941, " "

PRIM. ASSESSM. ROLL ORD. Dec. 4, 1941

ASSESSM. ROLL APPROVED: 12/22/42
7:30 P.M.

ASSESSM. ROLL CONFIRMED: 2/5/42
7:30 P.M.

DECLARATORY RESOLUTION NO. 734-1941.

For the vacation of Vogley Street from the south property line of New Haven Avenue to the north property line of the first alley north of Schele Avenue; also for the vacation of the first alley south of New Haven Avenue from the west property line of Vogley Street to the east property line of the alley between Vogley Street and Bitler Street; also for the vacation of the alley between Vogley Street and Bitler Street from the south property line of the first alley south of New Haven Avenue to the north property line of the first alley north of Schele Avenue.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed necessary to vacate Vogley Street from the south property line of New Haven Avenue to the north property line of the first alley north of Schele Avenue; also to vacate the first alley south of New Haven Avenue from the west property line of Vogley Street to the east property line of the alley between Vogley Street and Bitler Street; also to vacate the alley between Vogley Street and Bitler Street from the south property line of the first alley south of New Haven Avenue to the north property line of the first alley north of Schele Avenue.

All as shown by a plan of such proposed vacation now on file in the office of the Department of Public Works of said City.

The cost of said vacation as aforescribed shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by the proposed street and alley vacations as aforescribed is described as all lots and lands lying south of New Haven Avenue; west of Edsall Avenue; north of Schele Avenue and east of Bitler Street.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal annual installments with interest at the rate of five (5%) per centum per annum. Under no circumstances shall the City of Fort Wayne, Indiana, be or be held responsible for any sum or sums due from said property owner or owners for said condemnation of property or for the payment of any bond or bonds, certificate or certificates issued in payment for such proposed damages, except for such moneys as shall have been actually received by the City from the assessments for such property damages or such moneys as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All of said lots and lands and streets and alleys affected by the aforescribed street and alley vacations being situated in the Southeast Quarter of Section Seven (7), Township Thirty (30) North, Range Thirteen (13) East, and lying within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

Adopted this 13th day of November, 1941.

Attest:

Charles F. Hess

Secretary

Robert H. Lewis

David Lewis

J. H. Johnson

Board of Public Works

WALTER E. HELMKE
CITY ATTORNEY
413-17 STANDARD BLDG.

LLOYD S. HARTZLER
ASSOCIATE CITY ATTORNEY
206-208 DIME BANK BLDG.

FRANK M. HOGAN
ASSOCIATE CITY ATTORNEY
917 CITIZENS TRUST BLDG.



November 11, 1941

Mr. Robert Beams
Board of Public Works
City Hall
Fort Wayne, Indiana

Dear Sir:

The School City of Fort Wayne desires to have certain streets and alleys vacated adjacent to the Adams School.

I am enclosing herewith a petition of the School City of Fort Wayne relative to the vacation of said streets and alleys, and attached to the petition is a diagram prepared by our City Engineer's Office, showing the relative location of the street and alleys. If you have any further questions, I suggest that you call Mr. Abbett.

I trust that you will be able to start these proceedings within the very near future.

Sincerely yours,

WALTER E. HELMKE

WEH:FB
Enc.

PETITION

TO THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE
FORT WAYNE, INDIANA

Gentlemen:

The School City of the City of Fort Wayne hereby petitions the Board of Public Works of the City of Fort Wayne to vacate the following street and alleys, to-wit:

Vogley Street from the South property line of New Haven Avenue to the first alley North of Schele Avenue, said Vogley Street being forty (40) feet wide;

The first alley West of Vogley Street from the first alley South of New Haven Avenue to the first alley North of Schele Avenue, said alley being eleven (11) feet wide;

The alley running West from Vogley Street and being the first alley South of New Haven Avenue and ending at the first alley East of Bitler Street, said alley being twelve (12) feet wide.

Said aforementioned street and alleys all adjoin the property of the School City of Fort Wayne, and known as Adams School. The closing of said street and alleys will not inconvenience any of the adjoining private property.

The School City herewith attaches a sketch showing the exact location of said street and alleys.

SCHOOL CITY OF FORT WAYNE, INDIANA

BY:

B. H. Kuper

President

Willard Chamberlain

Secretary

50

50.

FDJALL AVE

EDSALL AVE

STREETS & ALLEYS
TO BE VACATED

CITY ENGINEER'S OFFICE
Sept. 23-1941



OFFICE OF
BOARD OF PUBLIC WORKS

November 12, 1941

FORT WAYNE, INDIANA

Mr. Chauncey R. McAnlis
City Engineer
City of Fort Wayne, Indiana

Dear Sir:

You are hereby instructed to prepare plans for the vacation of the following street and alleys:

Vogley Street from the South property line of New Haven Avenue to the first alley North of Schele Avenue, said Vogley Street being forty (40) feet wide;

The first alley West of Vogley Street from the first alley South of New Haven Avenue to the first alley North of Schele Avenue, said alley being eleven (11) feet wide;

The alley running West from Vogley Street and being the first alley South of New Haven Avenue and ending at the first alley East of Bitler Street, said alley being twelve (12) feet wide.

Yours truly,

ATTEST:

C. F. Hess
SECRETARY

CFH:HS

David Lewis
J. H. Johnson
BOARD OF PUBLIC WORKS



Digitized by the Internet Archive
in 2015

